



STATE OF ARIZONA  
BOARD OF BEHAVIORAL HEALTH EXAMINERS  
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JANICE K. BREWER  
Governor

DEBRA RINAUDO  
Executive Director

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SUBSTANCE ABUSE CREDENTIALING COMMITTEE MEETING MINUTES  
Friday, March 17, 2011

Members present: Kirk Bowden, David Campbell  
Member on telephone: Cynthia Pio-Padilla  
Member absent: John Hogeboom  
Staff present: Debra Rinaudo, Executive Director, Marc Harris, A.A.G., Mary Wilson, Elma Brambila,

1. **Call to Order**

The meeting was called to order on March 17, 2011, at 9:03 a.m. with Dr. Bowden presiding.

2. **Roll Call**

See above.

3. **Review and Approval of Minutes**

Mr. Campbell moved, seconded by Dr. Bowden, to approve the general meeting minutes from the February 18, 2011, meeting as submitted. The motion passed unanimously.

Mr. Campbell moved, seconded by Dr. Bowden, to approve the executive session minutes from the January 21, 2011, meeting as submitted. The motion passed unanimously. Ms. Pio-Padilla abstained from the vote.

Mr. Campbell moved, seconded by Dr. Bowden, to approve the executive session minutes from the February 18, 2011, meeting as submitted. The motion passed unanimously. Ms. Pio-Padilla abstained from the vote.

4. **Review, consideration and action of complaints and other disciplinary matters**

*Pending complaints represent unproven allegations. On investigation, many complaints are found to be without merit or not of sufficient seriousness to merit disciplinary action against the licensee and are dismissed. Action by the committee on all disciplinary matters is a recommendation only. All final decisions are made by the Board.*

A. *2011-0034, Terri Waibel, LMSW applicant*

Ms. Rinaudo summarized the applicant's request for an asecond extension to obtain her substance abuse evaluation.

The applicant was properly noticed, but did not appear.

Following review and discussion by members, Dr. Bowden moved, seconded by Mr. Campbell, to grant the applicant's request for a second extension to obtain a substance abuse evaluation. The motion passed unanimously. The committee noted that it will not approve any additional requests for an extension.

B. *2010-0116 and 2007-0122, Malcom Pavey, LISAC-1220*

Ms. Rinaudo summarized information regarding the professional's non-compliance with the consent agreement.

The professional was properly noticed, but did not appear.

Following review and discussion by members, Dr. Bowden moved, seconded by Mr. Campbell, to recommend to the Board to accept a consent agreement for the voluntary surrender of the professional's license and, if not signed, to remand the matter to formal hearing. The motion passed unanimously.

After the committee concluded its review of this matter, Mr. Pavey arrived and advised the committee that he had submitted the official transcript showing his completion of the required ethics course.

Following discussion, members agreed not to change their previous recommendation to the Board.

*C. Marissa Spletter, LMSW applicant*

Ms. Rinaudo summarized information regarding the Board's background investigation.

The applicant appeared in person and addressed the committee.

Mr. Campbell moved, seconded by Dr. Bowden, to go into executive session to review records exempt from public inspection pursuant to A.R.S. §38-431.03(A)(2). The motion passed unanimously and the committee went into executive session at 9:25 a.m., reconvening its public meeting at 9:32 a.m.

Following review and discussion by members, Dr. Bowden moved, seconded by Mr. Campbell, to deny the application pursuant to A.R.S. §32-3275(6) based on a finding that the applicant violated A.R.S. §32-3251(12)(l), any conduct, practice or condition that impairs the ability of the professional to safely and competently practice. The motion passed unanimously.

*The committee took a break at 9:48 a.m., reconvening its public meeting at 9:58 a.m.*

**5. Report from the Chair and items for review, consideration, and possible action**

No report.

**6. Report from the Executive Director and/or staff**

*A. General Agency Operations*

No report.

**7. Board, committee and subcommittee reports (discuss and possible action)**

None

**8. National and regional trends and news regarding the profession(s)**

No report.

**9. Supervisor exemption requests: review, consideration and action.**

None

**10. Applications for reciprocal license: review, consideration and action**

None

**11. Consent agenda: review, consideration and action regarding requests for extensions and inactive status**

None

**12. Applications for inactive extension requests: review, consideration and action**

None

**13. Applications for licensure: review, consideration and action**

Independent Contractor

*Andrew Prochniak*

Tabled

Appeals

*A. Elizabeth Gallion*

Members reviewed information submitted in support of the appeal.

The applicant appeared in person and addressed the committee.

Following review and discussion by members, Dr. Bowden moved, seconded by Mr. Campbell, to accept PSY8330 and to recommend to the Board to deny the appeal based on continuing curriculum deficiencies. The motion passed unanimously.

*B. Yzmira Ysaguirre*

Members reviewed information submitted in support of the appeal.

The applicant was properly noticed, but did not appear.

Following review and discussion by members, Mr. Campbell moved, seconded by Dr. Bowden, to recommend to the Board to deny the appeal based on continuing curriculum deficiencies. The motion passed unanimously.

*C. Erica Kane*

Members reviewed information submitted in support of the appeal.

The applicant was properly noticed, but did not appear.

Following review and discussion by members, Dr. Bowden moved, seconded by Mr. Campbell, to recommend to the Board to deny the appeal based on continuing curriculum deficiencies. The motion passed unanimously.

*The committee reviewed files from 10:30 a.m. through 11:21 a.m.*

Dr. Bowden moved, seconded by Mr. Campbell, to recommend to the Board to deny Rogelio Calderon based on his failure to meet minimum licensure requirements. The motion passed unanimously.

**14. Future agenda items**

Development of a policy regarding extension requests for completion of committee ordered evaluations.

**15. Call for public comment**

No one asked to speak in response to the call for public comment.

**16. Establishment of future meeting date(s)**

The next meeting is scheduled for April 14, 2011, at 9:00 a.m. at 3443 North Central, Room 908.

**17. Adjournment**

Dr. Bowden moved, seconded by Mr. Campbell, to adjourn. The motion passed unanimously and the meeting was adjourned at 11:22 a.m.

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Cynthia Pio-Padilla  
Secretary/Treasurer

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Date